



PTO/SB/29 (10-00)

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))CHECK BOX if applicable  
☐ **DUPLICATE**

Address to:  <b>Assistant Commissioner of Patents Box CPA Washington, DC 20231</b>	Attorney Docket No of Prior Application	053912.0096
	First Named Inventor	PAOLO PEVARELLO
	Examiner Name	Gerstl
	Group / Art Unit	1626
	Express Mail Label No.	EL827178675US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/830,668, filed on April 30, 2001, entitled 2-UREIDO-THIAZOLE DERIVATIVES, PROCESS FOR THEIR PREPARATION, AND THEIR USE AS ANTITUMOR AGENTS.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65, Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

053912.0096 HOUSTON 274105 v1 (FC 858/5)

750.00 CH  
388.00 CH

EXPRESS MAIL LABEL NO. EL827178675US

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	19-20* =		x \$ _____ =	\$0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	7-3** =	4	x \$ 84.00 =	\$336.00
	MULTIPLE DEPENDENT CLAIMS (If applicable) (37 CFR 1.16(d))			+ \$ _____ =	
				BASIC FEE (37 CFR 1.16)	\$750.00
				Total of above Calculations =	\$1,086.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent.				
	** Reissue independent claims over original patent				
	TOTAL =				\$1,086.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 C.F.R. 1.27.
7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-2435 :
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☒ New Attorney Docket Number, if desired H053912.0096US0  
*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*
12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized. See MPEP 503)
13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA  
**UNLESS** a new correspondence address is provided below.

**10. New Correspondence Address**

☒ Customer Number or Bar Code Label



01200

PATENT TRADEMARK OFFICE

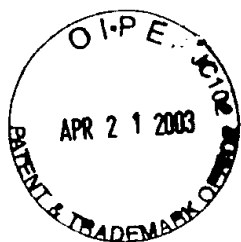
(Insert Customer No. or Attach bar code label here)

11. Signature of Applicant, Attorney, or Agent Required

Date:

April 21, 2003

Charles M. Cox  
Charles M. Cox, Reg. No. 29,057



<b><u>CERTIFICATE OF MAILING 37 C.F.R. 1.10</u></b>	
"Express Mail" Mailing Label Number: <u>EL827178675US</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service with sufficient postage on the date indicated below and is addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231.	
Name of Person Signing Certificate: <u>Holly Tuynman</u>	<u>Holly Tuynman</u>
<u>April 21, 2003</u>	Signature

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

IN RE APPLICATION OF: \_\_\_\_\_ :  
PAOLO PEVARELLO ET AL \_\_\_\_\_ : EXAMINER: GERSTL  
SERIAL NO.: 09/830,668 \_\_\_\_\_ :  
FILED: APRIL 30, 2001 \_\_\_\_\_ : GROUP ART UNIT: 1626  
FOR: 2-UREIDO-TIAZOLE \_\_\_\_\_ :  
DERIVATIVES, PROCESS FOR  
THEIR PREPARATION, AND THEIR  
USE AS ANTITUMOR AGENTS

**PRELIMINARY AMENDMENT AND REQUEST FOR RECONSIDERATION**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**ATTN: BOX AF**

SIR:

In response to the final Office Action dated January 21, 2003, Applicants respectfully request reconsideration in light of the following amendment and remarks.

**IN THE CLAIMS**

Please amend the claims 1, 6-8, 9-12, 17 and 21 as follows:

- 1. (Twice Amended) A method of treating, arresting, alleviating, or reducing cell proliferative disorders associated with an altered cell dependent kinase activity in a patient comprising
- administering a 2-ureido-1,3-thiazole derivative of formula (I)